

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65315 of 2022**

Arising Out of PS. Case No.-794 Year-2021 Thana- KAHALGAON District- Bhagalpur

RAMAN KUMAR MANDAL Son of Bhim Mandal Resident of Village -
Shahpur, P.S.- Ghogha, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Jha, Adv.
For the Opposite Party/s	:	Mr. Raj Kishor Singh, APP
For the Informant	:	Mr. Diwakar Upadhayay, Adv.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 05-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since 21.04.2022, in connection with Kahalgaon (Ghogha) P.S. Case No. 794/2021, F.I.R. dated 18.11.2021, for the offences punishable under Sections 323, 341, 307, 385, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

According to prosecution case, there is allegation against the petitioner of firing upon the informant causing injury on his left waist and when the family members of the informant came to rescue him then the wife of the petitioner, namely, Punam Devi also assaulted them causing injury to them.

Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has falsely been implicated in the present case due to admitted land dispute. He further submits that it appears from the F.I.R. that the petitioner fired upon the informant, who is brother of the informant. Learned counsel for the petitioner submits that the injury report of the informant suggests that the injury sustained by the informant on non-vital part of the body and the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 21.04.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Bhagalpur, in connection with Kahalgaon (Ghogha) P.S. Case No. 794/2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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